

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of San Diego Gas  
& Electric Company For Authority to Make  
Various Electric Rate Design Changes, Close  
Certain Rates, and Revise Cost Allocation Among  
Customer Classes Effective, August 1, 2002.  
(U 902 E)

Application 01-11-004

**ASSIGNED COMMISSIONER'S SCOPING MEMO AND RULING**

**Summary**

This ruling sets forth the scope, service list, schedule, category, assignment of the principal hearing officer, and ex parte communications rules for this proceeding following a January 25, 2002, Prehearing Conference (PHC), pursuant to Rule 6.3 of the Commission's Rules of Practice and Procedure.

**Scope of Proceeding**

The scope of this proceeding is limited to the issues raised in San Diego Gas & Electric Company's application, including electric rate design changes, closing of certain rates, and revising cost allocation among customer classes. Parties may offer additional proposals for resolving these issues.

**Service List**

With the taking of appearances at the PHC, a service list has been established for this proceeding, as set forth in Appendix A to this ruling. Parties shall serve filings on all appearances listed on the service list, including those

identified as “State Service.” Parties are requested to provide copies of all filings and proposed testimony on individuals listed as “Information Only.” The Commission will serve all rulings and orders on individuals listed as “Information Only.”

### **Schedule**

The schedule for this proceeding is as follows:

<b>Date</b>	<b>Activity</b>
April 25, 2002	- ORA Testimony
May 9, 2002	- Interested Parties Testimony
May 14, 2002	- Settlement Conference
May 23, 2002	- Rebuttal Testimony
June 3, 2002	- Witness List – Order of Testifying
June 10- 14 and 17-21, 2002, as needed	- Evidentiary Hearings
July 22, 2002	- Opening Briefs
August 5, 2002	- Reply Briefs & Proposed Submission Date
September 6, 2002	- Proposed Decision
September 26, 2002	- Comments on Proposed Decision
October 2, 2002	- Reply Comments on Proposed Decision
October 16, 2002	- Final Decision

The parties should limit their testimony to matters involving the identified issues. Any request for final oral argument before the Commission should be made as part of comments on the proposed decision.

My goal is to resolve this matter no later than October 16, 2002. However, in no event will resolution exceed 18 months from the date of filing this application, pursuant to SB 960, Section 12 and Rule 6(e).

### **Category of Proceeding**

This ruling confirms the Commission's preliminary finding in Resolution ALJ 176-3076, dated November 29, 2001, that this proceeding is a ratesetting proceeding, as described in Rule 5 (c).

### **Assignment of Presiding Officer**

Administrative Law Judge Galvin will act as principal hearing officer in this proceeding, pursuant to Rule 5(l).

### **Ex Parte Communications**

Parties shall observe and comply with the Commission's ex parte communications rules as discussed in the January 11, 2002 Assigned Commissioner's Ruling Setting a PHC.

#### **IT IS RULED that:**

1. The scope and schedule for this proceeding is set forth herein.
2. San Diego Gas & Electric Company shall coordinate the order that witnesses shall testify with all interested parties and shall provide a copy of an agreed upon witness order list by letter to all parties and to the assigned Administrative Law Judge (ALJ) by June 3, 2002.
3. The May 14, 2002 settlement conference agreed to by all parties that attended the Prehearing Conference (PHC) shall comply with the Commission's Rules of Practice and Procedure (Rules) on Settlement Conferences.
4. The service list for this proceeding is set forth in Appendix A to this ruling. Parties shall serve filings on all appearances listed on the service list, including those identified as "State Service." Parties are requested to provide copies of all filings and proposed testimony on individuals listed as "Information Only." The Commission will serve all rulings and orders on individuals listed as "Information Only."

5. Any request for final oral argument before the Commission should be made as part of comments on the proposed decision.

6. This ruling confirms that this application is a ratesetting proceeding for the purpose of Article 2.5.

7. Parties shall observe and comply with the ex parte communications rules set forth in Rules 7 and 7.1 of the Commission's Rules and as discussed in the Assigned Commissioner's January 11, 2002 Ruling Setting a PHC.

8. The principal hearing officer in this proceeding is ALJ Galvin.

9. An evidentiary hearing in the proceeding shall be held beginning at 10:00 a.m., June 10, 2002, and continue, as needed, through and including June 21, 2002, in the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California.

Dated February 5, 2002, at San Francisco, California.

/s/ GEOFFREY BROWN

---

Geoffrey Brown  
Assigned Commissioner

**APPENDIX A**

**Page 1**

**Service List**

---

***Appearance***

VICKI L. THOMPSON  
ATTORNEY AT LAW  
101 ASH STREET  
SAN DIEGO, CA 92101

JOHN M. CUMMINS  
ATTORNEY AT LAW  
DEPARTMENT OF THE NAVY  
2001 JUNIPERO SERRA BLVD., SUITE 600  
DALY CITY, CA 94014-1976

JONATHAN JASON REIGER  
ATTORNEY AT LAW  
CALIFORNIA PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102

JONATHAN J REIGER  
CALIF PUBLIC UTILITIES COMMISSION  
LEGAL DIVISION  
ROOM 4107  
505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3214

EDWARD G. POOLE  
ATTORNEY AT LAW  
ANDERSON & POOLE  
601 CALIFORNIA STREET, SUITE 1300  
SAN FRANCISCO, CA 94108-2818

RONALD LIEBERT  
ATTORNEY AT LAW  
CALIFORNIA FARM BUREAU FEDERATION  
2300 RIVER PLAZA DRIVE  
SACRAMENTO, CA 95833

***Information Only***

KAY DAVOODI  
NAVY RATE INTERVENTION  
1314 HARWOOD STREET SE  
WASHINGTON NAVY YARD, DC 20374-5018

MAURICE BRUBAKER  
BRUBAKER & ASSOCIATES, INC.  
1215 FERN RIDGE PARKWAY, SUITE 208  
ST. LOUIS, MO 63141

MICHAEL SHAMES  
ATTORNEY AT LAW  
UTILITY CONSUMERS' ACTION NETWORK  
3100 FIFTH AVENUE, SUITE B  
SAN DIEGO, CA 92103

BRUCE FOSTER  
REGULATORY AFFAIRS  
SOUTHERN CALIFORNIA EDISON COMPANY  
601 VAN NESS AVENUE, SUITE 2040  
SAN FRANCISCO, CA 94102

ROBERT FINKELSTEIN  
ATTORNEY AT LAW  
THE UTILITY REFORM NETWORK  
711 VAN NESS AVENUE, SUITE 350  
SAN FRANCISCO, CA 94102

EVELYN KAHL  
ATTORNEY AT LAW  
ALCANTAR & KAHL, LLP  
120 MONTGOMERY STREET, SUITE 2200  
SAN FRANCISCO, CA 94104

**APPENDIX A**  
**Page 2**

BETH C. TENNEY, ESQ.  
ATTORNEY AT LAW  
MC CRACKEN, BYERS & HAESLOOP  
1528 SOUTH EL CAMINO REAL, SUITE 306  
SAN MATEO, CA 94402

REED V. SCHMIDT  
BARTLE WELLS ASSOCIATES  
1889 ALCATRAZ AVENUE  
BERKELEY, CA 94703

BILL MARCUS  
JBS ENERGY  
311 D STREET, SUITE A  
WEST SACRAMENTO, CA 95605

RICHARD MC CANN  
M.CUBED  
2655 PORTAGE BAY, SUITE 3  
DAVIS, CA 95616

***State Service***

MARIA E. STEVENS  
CALIF PUBLIC UTILITIES COMMISSION  
COMMISSION  
EXECUTIVE DIVISION  
320 WEST 4TH STREET SUITE 500  
LOS ANGELES, CA 90013

DEXTER KHOURY  
CALIFORNIA PUBLIC UTILITIES  
OFFICE OF RATEPAYER ADVOCATES  
505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102

MICHAEL J. GALVIN  
CALIF PUBLIC UTILITIES COMMISSION  
DIVISION OF ADMINISTRATIVE LAW JUDGES  
ROOM 5015  
505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3214

**(END OF APPENDIX A)**

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner's Scoping Memo and Ruling on all parties of record in this proceeding or their attorneys of record.

Dated February 5, 2002, at San Francisco, California.

/s/ JACQUELINE GORZUCH  
Jacqueline Gorzoch

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

\*\*\*\*\*

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.